

REMARKS

I. INTRODUCTION

Claims 1, 8, 15, and 22 have been amended. Thus, claims 1-28 remain pending in the present application. No new matter has been added. In view of the above amendments and the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

Applicants respectfully request that the Examiner enter the amendments since they have been made to further clarify what was already recited in the claims.

II. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

Claims 1-3, 8-10, 15-17, and 22-24 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Corvin et al. (U.S. Published App. No. 2001/0054181) in view of Wachtfogel et al. (U.S. Published App. No. 2007/0067800) and further in view of Wang et al. (U.S. Published App. No. 2002/0191950).

Claim 1, as amended, recites, “[a]n apparatus in a video display system that is capable of displaying video programs with advertisements on a plurality of channels, wherein said apparatus prevents a viewer of a video program with advertisements from switching from a first channel to a second channel when an advertisement is displayed on said first channel in response to a first control signal and allowing the switching in response to a second control signal, the second control signal being provided at an end of the video program, *wherein the apparatus, prior to the advertisement, generates a notification indicating that advertisements on the first channel must be viewed and, after expiration of a selected period of time after the notification, prevents the viewer from the switching.*”

The Examiner correctly acknowledges that Corvin fails to disclose or suggest the viewer is prevented from the switching after expiration of a selected period of time after a notification indicating that said advertisement on said first channel must be viewed. (See

7/1/10 Office Action, pp. 3-4). Although the Examiner does not explicitly admit that Wachtfogel fails to disclose this limitation, the Examiner impliedly admits the deficiency of Wachtfogel when the Examiner attempts to cure this deficiency by referring to Wang. (*Id.* at p. 4). To support this contention, the Examiner refers to Wang's disclosure that when the manual and automated skipping features are disabled, "if a user presses a manual fast forward button, the video recording and playback device 16 does not execute the manual fast forward function and may provide a short indication that this function is temporarily disabled during the playback of a commercial." (*See Wang*, ¶ [0029]).

To overcome this deficiency, the Examiner equates "a selected period of time as a portion of video signal with non-commercial content, wherein viewer is prevented from skipping after expiration of the non-commercial portion." (*See 7/1/10 Office Action*, p. 2). The Examiner continues by equating the expiration of the selected period of time to the beginning of the display of commercials, during which the user is prevented from switching channels. (*Id.*). According to claim 1, however, a notification indicating that the advertisement on the first channel must be viewed is first displayed. Then after the expiration of a selected period of time, the viewer is prevented from switching channels. In contrast, Wang discloses that the user is notified of the disablement at the time the user tries to fast forward. Accordingly, Wang fails to disclose or suggest "*the apparatus, prior to the advertisement, generates a notification indicating that advertisements on the first channel must be viewed and, after expiration of a selected period of time after the notification, prevents the viewer from the switching,*" as recited in claim 1.

Applicants, therefore, respectfully submit that Corvin, Wachtfogel, and Wang, taken alone or in any combination, fail to disclose or suggest "*the apparatus, prior to the advertisement, generates a notification indicating that advertisements on the first channel must be viewed and, after expiration of a selected period of time after the notification, prevents the viewer from the switching,*" as recited in claim 1. It is respectfully submitted that the rejection of claim 1 and its dependent claims 2 and 3 should be withdrawn.

Independent claims 8, 15, and 22 all contain limitations substantially similar to those of claim 1. Therefore, Applicants respectfully submit that the rejection of these claims should also be withdrawn for at least the foregoing reasons presented with regard to claim 1. Because claims 9 and 10 depend on and, therefore, contain all of the limitations of claim 8, it is respectfully submitted that the rejection of these claims should also be withdrawn. Because claims 16 and 17 depend on and, therefore, contain all of the limitations of claim 15, it is respectfully submitted that the rejection of these claims should also be withdrawn. Because claims 23 and 24 depend on and, therefore, contain all of the limitations of claim 22, it is respectfully submitted that the rejection of these claims should also be withdrawn.

Claims 4-6, 11-13, 18-20, and 25-27 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Corvin, Wachtfogel, and Wang further in view of De Ceulaer (U.S. Patent No. 6,993, 727). Claims 7, 14, 21, and 28 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Corvin, Wachtfogel, Wang and De Ceulaer further in view of Koepele (U.S. Patent No. 5,943,605).

Applicants respectfully submit that neither De Ceulaer nor Koepele cure the above-mentioned deficiencies of Wang and that Corvin, Wachtfogel, Wang, De Ceulaer, and Koepele, taken alone or in any combination, fail to disclose or suggest “*the apparatus, prior to the advertisement, generates a notification indicating that advertisements on the first channel must be viewed and, after expiration of a selected period of time after the notification, prevents the viewer from the switching,*” as recited in claim 1 and, similarly, claims 8, 15, and 22. Because claims 4-6 and 7 depend on and, therefore, contain all of the limitations of claim 1, it is respectfully submitted that the rejection of these claims should also be withdrawn. Because claims 11-13 and 14 depend on and, therefore, contain all of the limitations of claim 8, it is respectfully submitted that the rejection of these claims should also be withdrawn. Because claims 18-20 and 21 depend on and, therefore, contain all of the limitations of claim 15, it is respectfully submitted that the rejection of these claims should also be withdrawn. Because claims

25-27 and 28 depend on and, therefore, contain all of the limitations of claim 22, it is respectfully submitted that the rejection of these claims should also be withdrawn.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

Respectfully submitted,

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